

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAMUEL SMOLEN,

Plaintiff,

v.

No. 17 Civ. 7494(PMH)

SHANIKQUA HARRISON,
MICHAEL CAPRA, MARK ROYCE, and
SHERRY IZQUERDO

Defendants.

PLEASE TAKE NOTICE that, for the reasons set forth in the accompanying memorandum of law and Declaration of Amanda Yoon, with appended exhibit, the defendants shall move the Court, before the Honorable Philip M. Halpern, in limine for an order: precluding the plaintiff (i) from presenting evidence as to any claims that were previously dismissed from Plaintiff's complaint, including offering any speculative argument, such as he was placed in IPC in retaliation for having filed grievances; and (ii) permitting Defendants to introduce evidence of Plaintiff's current felony conviction and disciplinary history.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Individual Practices in Civil Cases Rule 6(C), any response to this Motion is due on February 21, 2022.

Dated: New York, New York
February 14, 2022

LETITIA JAMES
Attorney General
State of New York
Attorney for Defendants

By: _____ /s/
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